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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/675,415

09/29/2000

James M. Crawford JR.

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EXAMINER

ALVAREZ, RAQUEL

ART UNIT

PAPER NUMBER

3688

MAIL DATE

DELIVERY MODE

02/06/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAMES M. CRAWFORD, JR., LAMOTT G. OREN,
MICHAEL PAILAS and BALAKRISHNAN VINOD

Application 09/675,415
Technology Center: 3600

Mailed: February 6, 2009

Before GLORIA HENDERSON, *Review Team Paralegal*
HENDERSON, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on June 3, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

EXAMINER'S ANSWER –NEW GROUNDS OF REJECTION

The Examiner's Answer mailed December 11, 2008, included a New Grounds of Rejection. When a new ground of rejection is introduced in the

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Examiner's Answer, the Examiner is required to obtain approval of the Technology Center Director or his/her designee. See MPEP § 1207.02.

Further review of the file indicates that the appellants filed a "RESPONSE UNDER 37 C.F.R. § 1.111" with Amendments on February 3, 2009. However, there is no indication that the Examiner considered the papers filed on February 3, 2009.

CONCLUSION

Accordingly, it is

ORDERED that the application is electronically returned to the examiner to:

1) vacate the Examiner's Answer mailed December 11, 2008, issuing a revised Examiner's Answer to include the approval of the Technology Center Director or his/her designee;

2) for consideration and proper response to the "RESPONSE UNDER 37 C.F.R. § 1.111" filed on February 3, 2009; and

3) for such further action as may be appropriate.

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If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

GJH

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